IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

:

UNITED STATES OF AMERICA

Case No. 2:10-CR-300(1)

Plaintiff,

JUDGE ALGENON L. MARBLEY

v.

SHANE MATTHEW ROUSH,

Defendant.

ORDER

This matter comes before the Court on Defendant's Motion to Correct Clerical Error in Final Judgment. The Court recognizes that in the interest of avoiding ambiguity in a Judgment and Commitment Order, the term of imprisonment should be expressed as a net value, with any credit for time served being automatically deducted from the stated sentence. *See United States* v. Ross, 219 F.3d 592, 594 (7th Cir. 2000), accord United States v. Heath, 977 F.2d 583 (6th Cir. 1992). Thus, the Court hereby **AMENDS** the Judgment and Commitment Order to correct the clerical error and **ORDERS** that on Page Two of that Judgment and Commitment Order, under the heading of "Imprisonment," the text shall be stricken and replaced by the following:

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWO-HUNDRED-EIGHTY-ONE (281) MONTHS to run concurrent with the sentence imposed in Morrow County Court of Common Pleas, Dkt. #2010-CR-178. This is the defendant's net sentence, with credit given for time served.

All other terms and conditions outlined in the Judgment and Commitment Order shall remain in full force as previously imposed.

IT IS SO ORDERED.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge

Dated: October 4, 2012